

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

RENASANT BANK SUCCESSOR IN INTEREST BY  
MERGER WITH MERCHANTS AND FARMERS BANK

VS.

JIMMY W. AMMONS,  
THE ESTATE OF SHIRLEY AMMONS,  
NORIA J. HERNANDEZ, TONY AMMONS,  
FORD MOTOR CREDIT COMPANY,  
CARLISLE A. GRICE, THE UNITED STATES  
OF AMERICA AND THE STATE OF  
MISSISSIPPI

PLAINTIFF  
8/17/15 8:54:34  
DK W BK 770 PG 718  
DESO TO COUNTY, MS  
W.E. DAVIS, CH CLERK  
CAUSE NO. 12-CV-01467

no 8/17/15 8:55:23  
DK T BK 4,028 PG 267  
DESO TO COUNTY, MS  
W.E. DAVIS, CH CLERK  
DEFENDANTS

ORDER ON REFORMATION AND CONFIRMATION OF TITLE

BE IT REMEMBERED THAT THIS MATTER came on to be heard on this an Ex Parte  
Day of the Chancery Court of DeSoto County, Mississippi on the AMENDED COMPLAINT  
FOR REFORMATION AND CONFIRMATION OF TITLE as filed by the Plaintiff, Renasant  
Bank, successor in interest by merger to Merchants and Farmers Bank, upon service of process  
on the Defendants Jimmy W. Ammons, The Estate of Shirley Ammons, Noria J. Hernandez,  
Tony Ammons, Ford Motor Credit Company, Carlisle A. Grice, The United States of American,  
the State of Mississippi and U.S. Bank National Association, upon the Answers filed by Jimmy  
W. Ammons, the Estate of Shirley Ammons, Noria J. Hernandez, and Tony Ammons, and the  
Answer filed by the United States of America. No answer, appearance, or pleading has been  
filed by Carlise aka Carlisle A. Grice or the State of Mississippi or U.S. Bank National  
Association. The Court did find that it had jurisdiction of the parties and of the subject matter  
and that a cause of action had been stated upon which relief could be granted. The Court did find  
and orders as follows:

Prepared By:  
Brawlings & MacInnis  
P.O. Box 1789  
Madison Ms. 39130  
601-898-1180  
PL/PS  
5/12/15  
6

1.

DK T BK 4,028 PG 268

Due to a scrivener's error, an incomplete description was used in a conveyance from Jimmy Wayne Ammons to Shirley Dale (Brown) Ammons by a Quitclaim Deed dated May 31, 2001 and recorded in Land Deed Record Book 393 at pages 488-490. The correct description is:

#### TRACT I

Part of Lot 9 of Beaty's unrecorded subdivision of Dr. W. W. Mitchell's 53.8 acres in the Southwest Quarter (SW1/4) of Section 10, Township 2, Range 6 West, in DeSoto County, Mississippi, said part being shown on a plat of DeSoto Heights Subdivision of record in Book One, at Page 33, in the records of the Chancery Court of DeSoto County, Mississippi, the part herein conveyed being more particularly described as follows:

BEGINNING at a point in the easterly side line of Mississippi State Highway No. 305 which is 303.97 feet northwardly from the center line of College Road said point being the southwest corner of Lot 6 of DeSoto Heights Subdivision; thence southwardly with the easterly side line of Mississippi State Highway No. 305, 100 feet to a point; thence eastwardly, parallel with the south line of said Lot 6, 225 feet, more or less, to the west line of Lot 8 of Beaty's unrecorded subdivision; thence northwardly with the east line of said Lot 8, 100 feet to a point, the southeast corner of Lot 6 of DeSoto Heights Subdivision; thence westwardly with the southerly line of said Lot 6, 222.2 feet to the point of BEGINNING.

And being all of that same property described and conveyed by warranty deed of record in Book 65, Page 515, in said Chancery Court Clerk's records.

#### TRACT II

Part of Lot 9, of Beaty's unrecorded subdivision of Dr. W. W. Mitchell's 53.8 acres in the SW 1/4 of Section 10, Township 2, Range 6 West, in DeSoto County, Mississippi, said part being shown on plat of DeSoto Heights Subdivision of record in Book 1, Page 33, in the records of the Chancery Court Clerk of DeSoto County, Mississippi, and being more particularly described as follows: BEGINNING at a point in the east line of Mississippi State Highway 305, 100 feet South of the South line of Lot 6 of said DeSoto Heights Subdivision; thence Eastwardly and parallel to the South line of said Lot 6, 140 feet more or less, to a point; thence Southwardly parallel to the East line of said Mississippi State Highway No. 305, 190 feet more or less to a point in the North line of College Road; thence Westwardly with the Northerly side line of College Road to a point where said Northerly side line intersects the Easterly side line of

Mississippi State Highway No. 305; thence Northwardly with the East side line of said Highway, 175 feet more or less, to the point of beginning.

**LESS AND EXCEPT:** A 0.62 acre lot in part of Section 10, Township 2 South, Range 6 West, DeSoto County, Mississippi.

Beginning at a point in the east right of way of MS Hwy. 305 (80 ft. wide), said point being 100.0 feet South of the southwest corner of lot 6 of DeSoto Heights Subdivision in Sect. 10, T-2-S, R-6-W; thence South 87 deg. 04' east 124.04 feet to a corner post in an existing fence; thence South 4 deg. 51 minutes East 159.15 feet along said fence to a point; thence South 10 deg. 39 minutes West 56.34 feet along said fence to a point in the centerline of College Road; thence North 82 deg. 22 minutes West, 124.12 feet along said centerline of College Road to a point in the east right of way of MS Hwy. 305; thence North 1 deg. 06 minutes West 203.85 feet along said right of way to the point of beginning. Being the same property conveyed to Shirley Dale (Brown) Ammons at Warranty Deed dated May 31, 2001, in Book 0393, Page 0488, in the Chancery Clerk's Office of DeSoto County, Mississippi.

hereinafter the "CORRECTED DESCRIPTION".

2.

The following documents in the chain of title are reformed to contain the corrected description:

- (a) Deed from Jimmy Wayne Ammons to Shirley Dale (Brown) Ammons by a Quitclaim Deed dated May 31, 2001 and recorded in Land Deed Record Book 393 at pages 488-490.
- (b) Deed of Trust dated April 21, 2003 from Shirley Dale (Brown) Ammons to New Century Mortgage Corporation recorded in Land Deed of Trust Record Book 1706 at page 720-736. Assignment to U.S. Bank National Association recorded at Land Deed of Trust Record Book 2615 at page 309-311 dated April 30, 2005; Appointment of Substitute Trustee at Land Deed of Trust Record Book 2623 at page 771 dated November 21, 2006;
- (c) Substitute Trustee's Deed at Land Deed Record Book 576 at page 522-525 dated

January 15, 2008;

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- (d) Special Warranty Deed to Carlisle Grice dated October 13, 2009 and recorded in Land Deed Record Book 621 at page 437-441 and corrected at Land Deed Record Book 623 at page 53-55 dated December 3, 2009;
- (e) Commercial Real Estate Deed of Trust to Merchants and Farmers Bank dated November 12, 2009 and recorded in Land Deed of Trust Record Book 3103 at pages 760-767;
- (f) Commercial Real Estate Deed of Trust to Merchants and Farmers Bank dated November 12, 2009 and recorded in Land Deed of Trust Record Book 3130 at page 26-33.
- (g) Commercial Real Estate Deed of Trust to Merchants and Farmers Bank dated November 12, 2009 and recorded in Land Deed of Trust Record Book 3132 at page 541-548.

It is the Court's order that all documents in the chain of title reflect the corrected description.

3.

The Defendant, Jimmy W. Ammons, will purchase the interest of the Plaintiff for the sum of \$40,000.00, which is the amount of the original loan by Merchants and Farmers Bank to Carlisle Grice. In exchange for the \$40,000.00, Renasant Bank, successor in interest by merger to Merchants and Farmers Bank, will assign all its right, title, and interest in the Note and Commercial Real Deeds of Trust that they hold filed in Land Deed of Trust Record Book 3103 at pages 760-767, Land Deed of Trust Record Book 3130 at page 26-33, and Land Deed of Trust Record Book 3132 at page 541-548 as recorded in the Office of the Chancery Court Clerk in

DeSoto County, Mississippi to the said Jimmy W. Ammons. The \$40,000.00 must be paid to Renasant Bank, successor in interest by merger to Merchants and Farmers Bank, within 45 days of the date of this order.

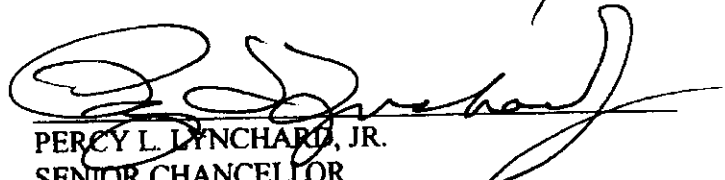
4.

If Jimmy W. Ammons is unable to complete the transaction Renasant may proceed to foreclose on its Commercial Real Estate Deeds of Trust recorded in Land Deed of Trust Record Book 3103 at pages 760-767, Land Deed of Trust Record Book 3130 at page 26-33, and Land Deed of Trust Record Book 3132 at page 541-548 as recorded in the Office of the Chancery Court Clerk in DeSoto County, Mississippi


5.

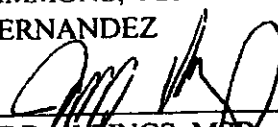
The rights of any party existing as a result of the incorrect description is voided by the reformation of the original deed from Jimmy Wayne Ammons to Shirley Dale (Brown) Ammons.

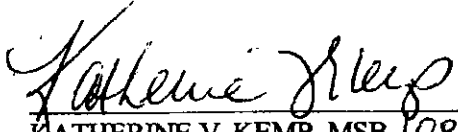
SO ORDERED, ADJUDGED, AND DECREED this the 12<sup>th</sup> day of May, 2015.

  
PERCY L. LYNCHARD, JR.  
SENIOR CHANCELLOR  
THIRD CHANCERY DISTRICT

APPROVED:

  
WALLACE C. ANDERSON, MSB 1596  
ATTORNEY FOR THE ESTATE OF SHIRLEY  
D. AMMONS, TONY AMMONS, AND NORIA  
J. HERNANDEZ

  
JEFF RAWLINGS, MSB 4652  
ATTORNEY FOR RENASANT BANK

  
KATHERINE V. KEMP, MSB 100406  
ATTORNEY FOR JIMMY W. AMMONS

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